IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

AND
THE HON'BLE MR JUSTICE C.V.RAMULU

TAKEN-UP WRIT PETITION No.16871 of 2004

Between:

Arjunlal, S/o Harilal,
Sri Gajjanad Jewelers and Pawn Brokers, Shop No.2, Main Market, Opp: Ranga Theatre,
Shapurnagar, IDA Jeedimetla, Hyderabad.

..... PETITIONER

AND

1 The Station House Officer, Chikkadpally Police Station, Hyderabad.
2 The Commissioner of Police, Basheerbagh, Hyderabad.

.....RESPONDENTS

For the reasons stated in the Telegram sent by the Petitioner herein this Hon'ble Court may be pleased to issue an Order, direction, or a Writ, more particularly one in the nature of Writ of Habeas Corpus directing the Respondents herein to produce the brothers of the Petitioner herein viz., Om Prakash and Madanlal before this Hon'ble Court, who were illegally taken away by the Chikkadpally Police, Hyderabad and detained in Chikkadpally Police Station, Hyderabad since 14-09-2004 and set them at liberty forthwith.

Counsel for the Petitioner: TELEGRAM

Counsel for the Respondents: THE ADVOCATE GENERAL

The Court at the admission stage made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

Affidavit in reply has been filed by A.Ram Reddy, Sub-Inspector of Police, Chikkadpally Police Station, stating that one Naveen is an habitual offender involving in house breaking and automobile offences, and he sells the stolen articles to some pawn brokers. The alleged detenus are pawn brokers running a shop at Shapurnagar, Ranga Reddy District. It is stated that on 14-9-2004, police went and demanded the alleged detenus for return of the pledged goods in connection with which they were summoned to police station. But, it is denied that the alleged detenus were detained. Since the alleged detenus are not under arrest or unlawful detention, no direction can be issued in this writ petition.

The writ petition is, therefore, dismissed.

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(DEVINDER GUPTA, C.J.)

1st October 2004.

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(C.V.RAMULU, J.)

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To

1 The Station House Officer, Chikkadpally Police Station, Hyderabad.
2 The Commissioner of Police, Basheerbagh, Hyderabad.

3 Two C.Cs to the Advocate General, High Court Bldgs., Hyderabad (OUT).

4 Two C.D. copies.